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*Attorneys for Defendant Lowe's Home Centers, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CATHIE KONYEN, an individual,

Plaintiff,

V.

LOWE'S HOME CENTERS, LLC, a foreign limited liability company,

Defendant.

Case No. 3:22-cv-00538-MMD-CLB

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES**

Plaintiff Cathie Konyen (“Plaintiff”) and Defendant Lowe’s Home Centers, LLC (“Lowe’s” and together with Plaintiff, the “Parties”), by and through their respective counsel, stipulate to extend the discovery deadline by sixty days to January 26, 2024.

## A. Discovery completed

## 1. Initial Disclosures

Plaintiff served her initial disclosures on March 24, 2023.

Lowe's served its initial disclosures on March 29, 2023.

Plaintiff served her first supplemental disclosures on September 15, 2023.

Plaintiff served her second supplemental disclosures on September 28, 2023.

Lowe's served its first supplemental disclosures on September 28, 2023.

1                   **2.       Written Discovery**

2       Plaintiff served her first set of discovery requests on Lowe's on May 18, 2023.

3       Lowe's served its responses to Plaintiff's first set of discovery requests on July 5, 2023.

4       Lowe's served its first set of discovery requests on Plaintiff on July 18, 2023.

5       Plaintiff served her responses to Lowe's requests for admissions on August 29, 2023.

6       Plaintiff served her responses to Lowe's interrogatories on September 8, 2023.

7       Plaintiff served her responses to Lowe's requests for production on September 15, 2023.

8                   **B.      Discovery to Be Completed**

9                   **1.      Depositions to be Conducted**

10                   **a.     Party Depositions**

11                   (1)     Cathie Konyen

12                   (2)     Lowe's 30(b)(6) Witness

13                   **b.     Non-party Witnesses**

14                   (1)     David Berntzen

15                   (2)     Nick Peri

16                   (3)     Andrew Cook

17                   (4)     Sedgwick 30(b)(6) Witness

18                   (5)     Gary Konyen

19                   **C.      Reasons that the remaining discovery will not be completed within the time limits set**  
 20                   **by the discovery plan**

21       A sixty-day discovery extension is necessary as the Parties are still in the process of  
 22       scheduling depositions of all witnesses, and schedules are not compatible until after the  
 23       November 27, 2023 cut-off. Additionally, scheduling will be difficult in light of the impending  
 24       holidays.

25       Accordingly, the extension is necessary because, despite the Parties' efforts, the current  
 26       schedule does not allow for sufficient time to complete discovery, including conducting  
 27       depositions. Extending the schedule would allow the Parties to complete all anticipated discovery.

1      **D. Proposed schedule for completing all remaining discovery**

Event	Current Deadline	Proposed Deadline
Close of Discovery	11/27/2023	1/26/2024
Dispositive Motions	12/26/2023	2/26/2024
Joint Pretrial Order	1/25/2024	3/25/2024

5      **E. Conclusion**

6      Good cause exists to extend the remaining discovery deadlines. The parties respectfully  
 7      request that this Court grant the proposed extension of the discovery deadlines so that the parties  
 8      can adequately prepare responses to written discovery and take the proposed depositions. This  
 9      request is not made for the purpose of delay.

10     DATED this 13th day of October 2023.

11     DATED this 13th day of October 2023.

12     THE GEDDES LAW FIRM, P.C.

13     SNELL &amp; WILMER L.L.P.

14     */s/ William J. Geddes*15     William J. Geddes  
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16     Attorney for Plaintiff Cathie Konyen

17     */s/ Paul Swenson Prior*18     Paul Swenson Prior, Esq.  
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3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, NV 8916919     *Attorneys for Defendant Lowe's Home Centers,  
LLC*20     **IT IS SO ORDERED.**

21     DATED: \_\_\_\_\_, 2023.

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23     UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES** by method indicated below:

- BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.
- BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- BY PERSONAL DELIVERY:** by causing personal delivery by \_\_\_\_\_, a messenger service with which this firm maintains an account, of the document(s) listed above to the person(s) at the address(es) set forth below.
- BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.
- BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

DATED: October 13, 2023

/s/ Maricris Williams  
An employee of SNELL & WILMER L.L.P.